

REMARKS

Claims 1-58 were subject to a restriction requirement in the Office Action dated September 29, 2006. In response to the restriction requirement, Applicant elects the Group I claims, namely, the claims directed to the method of making a mixture of peptides and surface-active agents. This election is made without traverse. In light of this election, claims 22-28 and 53-55 are withdrawn from consideration. In addition, Applicant has amended claim 7 such that it is restricted to a single species (*Kluyveromyces marxianus*). Similarly, claim 9 has been amended to restrict the same to a single species (*ammonia*). Claim 11 has been amended to recite that the physically disrupting step pertains to a high-pressure homogenizer. Claim 18 has been restricted by reciting ethoxylated linear alcohol as the surface-active agent. In addition, Applicant has elected to prosecute the claimed molecular weight range of claim 47. In light of this, claims 48-50 are withdrawn. Finally, Applicant has elected to prosecute claim 52 so claim 51 is now withdrawn from consideration. The elections made above based on the species-based restrictions are also done without traverse.

//

//

//

//

//

//

//

Examination on the merits is requested. If there are any questions concerning this paper, please contact the undersigned at (949) 677-7758.

Respectfully submitted,

Dated: October 26, 2006

By:



Michael S. Davidson
Reg. No. 43,577
Attorneys for Applicant

Customer No. Vista IP Law Group LLP
23410 2040 Main Street, 9th Floor
PATENT TRADEMARK OFFICE Irvine, California 92614
TEL. (949) 677-7758